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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,814	11/02/2001	Scott Thomas Elliott	RPS920010100US1	7408

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BRACEWELL & PATTERSON, L.L.P.
P.O. BOX 969
AUSTIN, TX 78767-0969

EXAMINER

VITAL, PIERRE M

ART UNIT	PAPER NUMBER
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2188

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,814

Applicant(s)

ELLIOTT ET AL.

Examiner

Pierre M. Vital

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2001.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-4,6-8,10-12,14-16 and 19 is/are rejected.
7) ☒ Claim(s) 5,9,13,17 and 18 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is in response to Application No. 10/015,814 filed November 02, 2001. Claims 1-19 are pending in this application.
2. The specification and the claims have been examined with the results that follow.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-4, 6-8, 10-12, 14-16 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (US5,539,876).

As per claims 1 and 10, Saito discloses an apparatus for exclusively binding data to a data processing system comprising:

A data storage device in which said data is stored [*external memory device 7*; Fig. 1]; a battery that provides a binding signal independent of system power supplied to said data processing system [*battery 2*; Fig. 1; col. 4, lines 1-3]; a binding latch that receives said binding signal, wherein said binding latch is set upon removal of said binding signal [*latch 3*; Fig. 1; col. 11, lines 46-49].

As per claims 3 and 11, Saito discloses said data storage is contained within a detachable medium within said data processing system [col. 3, lines 26-27].

As per claims 4 and 12, Saito discloses said detachable medium is a circuit card or a module detachably mounted onto a system planar [col. 6, lines 27-31].

As per claims 6 and 14, Saito discloses connecting said binding signal from said battery to a sensing input on said detachable medium [col. 7, lines 18-22].

As per claims 7 and 15, Saito discloses applying said binding signal to a dedicated binding pin on said detachable medium [col. 7, lines 18-22].

As per claims 8 and 16, Saito discloses detecting within said detachable medium removal of said binding signal from said binding pin [col. 7, lines 18-22].

As per claim 19, Saito discloses a method for logically binding data within a data processing system, said method comprising storing said data within a detachable subsystem of said data processing system [*external memory device 7*; Fig. 1]; installing said detachable subsystem onto a mounting site within said data processing system, wherein said installing includes coupling a battery signal to a dedicated connection point on said detachable subsystem [*battery 2*; Fig. 1; col. 4, lines 1-3]; responsive to an interruption of said battery signal to said dedicated connection point, setting a binding latch within said detachable subsystem, wherein said set binding latch results in removal of said data from said detachable subsystem upon a subsequent installation of said detachable subsystem [*latch 3*; Fig. 1; col. 11, lines 46-49].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Saito et al (US5,539,876) and Heyden et al (US5,798,961).

As per claim 2, Saito discloses the claimed invention as detailed above in the previous paragraphs. However, Saito does not specifically teach that the binding latch is a non-volatile storage device as recited in the claim.

Heyden discloses the use of a non-volatile memory circuit providing a reliable technique for improving data integrity (col. 2, lines 16-20).

Since the technology for implementing a non-volatile storage device is well known in the art and since a non-volatile storage device provides a reliable technique for improving data integrity since it advantageously retains the information, even after power is removed, an artisan would have been motivated to implement a latch as a non-volatile storage device in Saito. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a latch as a non-volatile storage device because a non-volatile storage device provides a reliable technique for improving data integrity since it advantageously retains the information, even after power is removed.

Allowable Subject Matter

7. Claims 5, 9, 13 and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. The following is a statement of reasons for the indication of allowable subject matter:

As per claims 5 and 13, the prior art of record does not teach or suggest “a charge pump within a detachable medium, wherein said charge pump supplies power to set a binding latch in response to removal of a detachable medium from a system planar” in combination with the other elements set forth in the claimed invention.

As per claims 9 and 17, the prior art of record does not teach or suggest “circuit means within a detachable module, which, in response to detecting that a binding latch is set, removes data from a data storage” in combination with the other elements set forth in the claimed invention.

Therefore, dependent claim 18 is allowable as being dependent upon dependent claim 17 and having additional allowable features therein.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111 (c) to consider these references fully when responding to this action. The documents cited therein teach a charging circuit coupled via signal path to a battery circuit; a battery connected to a binding latch; and a data storage device contained in a detachable medium.

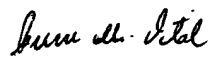
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pierre M. Vital whose telephone number is (703) 306-5839. The examiner can normally be reached on Mon-Fri, 8:30 am - 6:00 pm, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mano Padmanabhan can be reached on (703) 306-2903. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

April 15, 2004


Pierre M. Vital
Examiner
Art Unit 2188